

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-00586-RJC-SCR**

<b>JANE DOE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>CHARLOTTE MECKLENBURG</b>	)	
<b>BOARD OF EDUCATION,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Motions for Trial Transcript Redactions filed by Jane Doe (Doc. No. 330) and the City of Charlotte and Bradley Leak (Doc. No. 331).

With the consent of Leak and the City, Doe asks the Court to redact these parts of the trial transcript:

- Page 286, line 12: the first name of Doe’s father.
- Page 293, line 9: Doe’s first name.
- Page 322, line 3: Doe’s first name.
- Page 326, line 6: Doe’s first name.
- Appendix Page (95): The first names of Doe and her father.
- Page 690, line 6: Doe’s last name.
- Appendix Page (27): Doe’s last name.

Doc. No. 330; *see also* Doc. No. 321.

Those redactions are appropriate because, in accordance with prior orders in this case,\*

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\* Doc. Nos. 6, 60.

they will safeguard Doe's privacy and that of her family.

Leak and the City also ask the Court to redact the following parts of the trial transcript, which describe information contained in Leak's personnel file:

- Page 14, lines 17–25.
- Page 15, lines 1–25
- Page 531, line 25.
- Pages 532–534 in their entirety.
- Page 535, lines 1–7.
- Page 749, lines 18–21
- Page 755, line 23.

Doc. No. 331.

This request is overbroad. The public has a right to inspect and copy judicial records. *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978). And while the Court may seal a document “if the public's right of access is outweighed by competing interests,” *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000) (quoting *In re Knight Publ'g Co.*, 743 F.2d 231, 235 (4th Cir. 1984)), no such interests justify the wholesale exclusion that Leak and the City request. Some of the requested redactions concern portions of the transcript that merely discuss the Court's rulings or what happened at trial, and there is no reason to redact those portions.

Still, as reflected in N.C. Gen. Stat. § 160A-168, Leak and the City have an interest in protecting the confidentiality of his employment information to some extent. Thus, Doe partly consents to the redactions requested by Leak and the City. Doc. No. 334. Leak and the City used a yellow highlighter to identify portions of the transcript they want redacted, and Doe used a pink highlighter to identify portions that she agrees should be redacted. *See* Doc. Nos. 333-2, 334. The


Court finds that Doe's highlighted portions identify parts of Leak's "personnel file" that should remain "confidential." § 160A-168(c). The portions highlighted by Doe concern substantive information that is described in Leak's personnel file, such as information about specific documents, statements, and actions that were taken in the course of Leak's employment. As to those portions, Leak's and the City's interest in the confidentiality of his employee records outweighs the public's right of access, especially because those records were excluded from trial. The same is true for several other portions of the transcript, identified below, that were highlighted by the City and Leak but not by Doe.

**IT IS, THEREFORE, ORDERED** that:

1. Doe's Motion for Trial Transcript Redactions (Doc. No. 330) is **GRANTED**. Accordingly, the Court Reporter shall redact the following portions of the trial transcript:
  - Page 286, line 12: the first name of Doe's father. *See* Doc. No. 321-1.
  - Page 293, line 9: Doe's first name. *See* Doc. No. 321-2.
  - Page 322, line 3: Doe's first name. *See* Doc. No. 321-3.
  - Page 326, line 6: Doe's first name. *See* Doc. No. 321-4.
  - Appendix Page (95): The first names of Doe and her father. *See* Doc. No. 321-5.
  - Page 690, line 6: Doe's last name. *See* Doc. No. 321-6.
  - Appendix Page (27): Doe's last name. *See* Doc. No. 321-7.
2. The Motion for Trial Transcript Redactions filed by Leak and the City (Doc. No. 331) is **GRANTED in part**. The Court Reporter shall redact the following portions of the trial transcript:
  - The portions that are highlighted in pink in Doc. No. 333-2.
  - Page 15, line 9: "those interviews."

- Page 15, line 11: “those interviews.”
- Page 532, line 11: “IA history.”
- Page 533, line 3: “being a role model.”

Signed: April 13, 2023

  
Robert J. Conrad, Jr.  
United States District Judge

